

Mercury Thermostat Collection Act of 2008

The Department of Toxic Substances Control (DTSC)):

- May order a manufacturer, or a group of manufacturers operating a program, to revise its program and to undertake actions to comply.
- Will provide a notice on its Internet Web site listing manufacturers that are not in compliance with the Act on July 1, 2009, and will update this listing every January 1 and July 1 thereafter.
- On or before April 1, 2010, and on or before April 1 annually thereafter receive an annual report from the manufacturer covering the one-year period ending December 31st of the previous calendar year. The annual report shall include all of the following:
 - (1) The number of out-of-service mercury-added thermostats collected in California during the previous calendar year.
 - (2) The estimated total amount of mercury contained in the collected out-of-service mercury-added thermostats.
 - (3) An evaluation of the effectiveness of the program.
 - (4) Commencing with the report due **April 1, 2013**, a comparison to the performance requirements for collection established according to regulations developed.
 - (5) An accounting of the program administrative costs, including a copy of Internal Revenue Service Form 990 for a nonprofit organization's program.
For a non-profit organization's program, the manufacturer, or group of manufacturers operating a program, shall submit independently audited financial statements detailing revenues and a full accounting of administrative costs incurred.
 - (6) A description of the outreach strategies employed to increase participation and collection rates.
 - (7) Examples of outreach and educational materials used.
 - (8) Names and locations of all participating collection locations.
 - (9) The number of out-of-service mercury-added thermostats collected at each collection location.

- (10) The Internet Web site address where the annual report may be viewed online.
 - (11) A description of how the collected out-of-service mercury-added thermostats were managed.
 - (12) Modifications that the manufacturer is proposing to make in its collection and recycling program.
- On or before January 1, 2012, the department will adopt regulations to:
 - (1) Develop performance requirements that specify collection rates expressed as a percentage of out-of-service mercury-added thermostats becoming waste annually.
 - (2) Establish a methodology for the calculation of the number of out-of-service mercury-added thermostats becoming waste annually.
 - Receive copies of the public service announcement from the manufacturers for use and promotion.